

Exhibit 5

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9 *Class Counsel for Direct Purchaser Plaintiffs*

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 IN RE: CAPACITORS ANTITRUST LITIGATION

Master File No. 3:14-cv-03264-JD

13 THIS DOCUMENT RELATES TO:

14 ALL DIRECT PURCHASER ACTIONS

**DECLARATION OF BRENT W.
JOHNSON IN SUPPORT OF CLASS
COUNSELS' APPLICATION FOR
ATTORNEYS' FEES AND
REIMBURSEMENT
OF EXPENSES SUBMITTED ON
BEHALF OF COHEN MILSTEIN
SELLERS & TOLL PLLC**

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19 I, BRENT W. JOHNSON, declare and state as follows:

20 1. I am a partner at Cohen Milstein Sellers & Toll PLLC ("the Firm"). I submit this
21 Declaration in support of Class Counsels' interim application for attorneys' fees for services rendered to
22 the class in the above-captioned litigation and for reimbursement of expenses reasonably incurred in
23 the course of such representation. The time expended in preparing this Declaration is not included.

24 2. I have reviewed the Court's October 31, 2014 Order Appointing Interim Lead Class
25 Counsel (Dkt. 319) ("Order"), including in particular the Order's provisions regarding fees, costs and
26 expenses. The Firm has adhered to those provisions.
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1 3. The Firm has acted as class counsel to Direct Purchaser Plaintiffs (“DPPs”) in this class
2 action. During the course of this litigation, the Firm has been involved in the following activities on
3 behalf of the DPPs at the request and under the direction of Lead Counsel: investigating claims,
4 drafting and revising various iterations of the complaint, organizing initial discovery efforts, meeting
5 and conferring with certain defendants regarding their discovery obligations, including their document
6 productions, participating in conference calls regarding discovery organized by lead counsel, reviewing
7 documents for production from named plaintiffs, reviewing both Japanese and English language
8 documents from defendants, drafting memoranda regarding review of documents from defendants,
9 participating in depositions, researching legal issues and assisting in briefing in opposition to
10 Defendants’ motions to dismiss and for summary judgment, particularly concerning FTAIA issues,
11 among other tasks.

12 4. During the period from November 1, 2014 through September 30, 2016, the Firm
13 performed 5,331.3 hours of work in connection with this litigation. Based upon the historical hourly
14 rates charged by the Firm, the lodestar value of the time is \$1,902,873.00. Attached hereto as Exhibit
15 A is a chart which indicates the attorneys, paralegals and staff who worked on this litigation, the
16 number of hours worked, the categories of their work and their respective lodestar values. Exhibit A
17 was prepared from contemporaneous, daily time records regularly prepared and maintained by the Firm
18 and which have been provided to Lead Counsel for review.

19 5. All of the services performed by the Firm in connection with this litigation were
20 reasonably necessary in the prosecution of this case. There has been no unnecessary duplication of
21 services for which the Firm now seeks compensation. The lodestar calculations exclude time spent
22 reading or reviewing work prepared by others or other information relating to the case unless related to
23 preparation for or work on a matter specifically assigned to the Firm by Lead Counsel. The rates at
24 which the Firm seeks compensation are its usual and customary hourly rates charged for this work.

25 6. During the period from November 1, 2014 through September 30, 2016, the Firm
26 incurred expenses in the sum of \$206,668.43. These expenses were reasonably and necessarily
27 incurred in connection with this litigation and are summarized in the chart attached as Exhibit B.
28 Expense documentation has been provided to Lead Counsel for review.

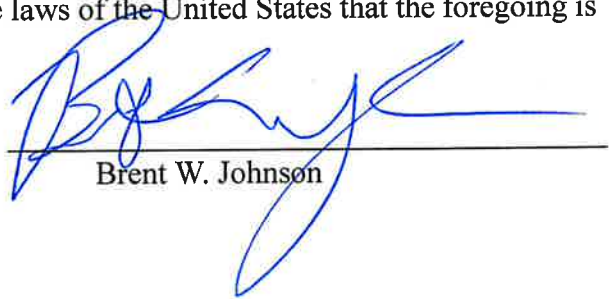
1 7. The expenses incurred are reflected on the books and records of the Firm. These books
2 and records are prepared from checks and expense vouchers which are regularly kept and maintained
3 by the Firm and accurately reflect the expenses incurred.

4 8. The Firm's compensation for the services rendered on behalf of the class is wholly
5 contingent. Any fees and reimbursement of expenses will be limited to such amounts as approved by
6 this Court.

7 I hereby affirm under penalty of perjury of the laws of the United States that the foregoing is
8 true and correct.

9 Dated: January 30, 2017

By:


Brent W. Johnson

CMST, PLLC

Exhibit A

Summary of Time in Electronic Capacitors at Historical Rates

November 1, 2014 to September 30, 2016

	<u>Status</u>	<u>Hours</u>	<u>Lodestar @ Historical Rates</u>
257 Small, Daniel	Partner	0.90	760.50
464 Pierson, Kit, A.	Partner	6.60	5,448.00
529 Koffman, Richard, A.	Partner	1.00	766.00
671 Dominguez, Manuel	Partner	3.20	2,160.00
468 Johnson, Brent	Partner	141.80	87,402.00
679 Alexander, Laura	Partner	82.50	41,304.00
415 Levens, Emmy	Partner	159.00	77,982.50
720 Ruan, Matthew, W.	Special Counsel	1.90	1,026.00
1473 Nelson, Jeffrey, C.	Staff Attorney	177.50	74,550.00
811 McVary, Barrett	Staff Attorney	80.20	26,867.00
1243 Bracken, John, A.	Staff Attorney	25.70	8,481.00
739 Hafiz, Hiba	Associate	73.60	31,721.50
787 Braun, Robert	Associate	5.90	2,330.50
708 Clarke, Suzanne	Investigator	0.50	210.00
738 Peterson, Brenda	Paralegal	19.10	5,348.00
776 Szemanski, Ali	Paralegal	14.20	3,697.00
477 Abetti, Jonathan	Paralegal	7.50	1,875.00
1479 Austin, Brendan	Contract Attorney	199.80	49,950.00
1608 Wieder, Eric J.	Contract Attorney	84.90	36,507.00
1607 Brady, Patrick E.	Contract Attorney	86.70	35,980.50
1406 Crawford, Nicole	Contract Attorney	262.90	101,216.50
1417 Amanuel, Susan	Contract Attorney	226.20	87,087.00
1510 Saunders, Latysha	Contract Attorney	25.70	9,894.50
1504 Reinhardt, Nicola	Contract Attorney	1,908.20	667,870.00
1503 Chuang, Jessica	Contract Attorney	950.50	308,912.50
1519 Oka, Kazumi	Contract Attorney	657.70	197,160.00
1500 Mason, Alisa	Contract Attorney	127.60	36,366.00
		5,331.30	1,902,873.00

Total 001 A	5331.3	1,902,873.00
Report Tot:	5331.3	1,902,873.00
Start Time: End Time: 5:50 PM		
Page: 1		

CMST, PLLC

Exhibit B

Summary of Expenses

November 1, 2014 to September 30, 2016

Assessments	200,000.00
Commercial Copies / Internal Copies	4.50
Court Fees/Filing Fees	615.00
Computer Research	1,565.90
Postage	143.76
Professional Fees	-
Witness Fees	-
Telephone 1	165.09
Travel	4,174.18
Other	-
TOTAL EXPENSES	206,668.43